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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

vs.

Devonte Okeith Mathis,

Defendant.

NO. CR-21-02714-TUC-RM (MSA)

I N F O R M A T I O N

VIO: 21 U.S.C. §§ 846, 841(a)(1) and
841(b)(1)(D)
(Conspiracy to Possess with
Intent to Distribute Marijuana)
Count 1

18 U.S.C. §§ 924(c)(1)(A) and 2
(Using and Carrying a Firearm During
and in Relation to a Drug Trafficking
Crime, and Possession of a Firearm in
Furtherance of a Drug Trafficking
Crime, Aid and Abet)
Count 2

18 U.S.C. §§ 924(d) and 981,
21 U.S.C. §§ 853 and 881, and
28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE UNITED STATES ATTORNEY CHARGES:

COUNT 1

Beginning at a time unknown to on or about October 4, 2021, in the District of

1 Arizona and elsewhere, Defendant DEVONTE OKEITH MATHIS did knowingly and
2 intentionally combine, conspire, confederate and agree with persons known and unknown,
3 to possess with intent to distribute less than 50 kilograms of marijuana, a Schedule I
4 controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and
5 841(b)(1)(D).

6 All in violation of Title 21, United States Code, Section 846.

7 **COUNT 2**

8 On or about October 4, 2021, in the District of Arizona, Defendant DEVONTE
9 OKEITH MATHIS and others known and unknown, did knowingly use and carry a firearm
10 during and in relation to a drug trafficking crime, and did knowingly possess a firearm in
11 furtherance of a drug trafficking crime, for which he may be prosecuted in a Court of the
12 United States, that is, Conspiracy to Possess with Intent to Distribute Marijuana, as alleged
13 in Count 1 of this Information.

14 In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2.

15 **FORFEITURE ALLEGATION**

16 The Grand Jury realleges and incorporates the allegations of Counts 1 and 2 of this
17 Information, which are incorporated by reference as though fully set forth herein.

18 Pursuant to Title 18 United States Code, Sections 924(d) and 981, Title 21, United
19 States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), and
20 upon conviction of the offenses alleged in Counts 1 and 2 of this Information, the defendant
21 shall forfeit to the United States of America all right, title, and interest in (a) any property
22 constituting, or derived from, any proceeds the persons obtained, directly or indirectly, as
23 the result of the offenses, and (b) any property used, or intended to be used, in any manner
24 or part, to commit, or to facilitate the commission of such offenses, including, but not
25 limited to the following involved and used in the offenses:

- 26 1. Glock 21 S/N EPF070;
27 2. Para Hi-Cap P14 .45 S/N K007324 with one empty magazine;

3. Loaded .45 caliber magazine and (1) .45 caliber round of ammunition;
4. Black loaded magazine with .45 caliber rounds of ammunition; and
5. Scherer .45 loaded magazine with .45 caliber rounds of ammunition.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence,
 - (2) has been transferred or sold to, or deposited with, a third party,
 - (3) has been placed beyond the jurisdiction of the court,
 - (4) has been substantially diminished in value, or
 - (5) has been commingled with other property which cannot be divided without difficulty,
- it is the intent of the United States to seek forfeiture of any other property of said defendant up to the value of the above-described forfeitable property, pursuant to Title 21, United States Code, Section 853(p).

All in accordance with Title 18, United States Code, Sections 924(d) and 981, Title 21, United States Code, Sections 853 and 881, Title 28, United States Code, Section 2461(c), and Rule 32.2, Federal Rules of Criminal Procedure.

Dated this 13th day of March, 2023.

GARY M. RESTAINO
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